

# EXHIBIT C



ROPES & GRAY LLP  
PRUDENTIAL TOWER  
800 BOYLSTON STREET  
BOSTON, MA 02199-3600  
WWW.ROPESGRAY.COM

June 24, 2020

Brien T. O'Connor  
T +1 617 951 7385  
brien.oconnor@ropesgray.com

Warden James Petrucci  
FCI Otisville  
Federal Correctional Institution  
P.O. Box 600  
Otisville, NY 10963

Darrin Howard, Regional Counsel  
Office of General Counsel  
RO Northeast  
U.S. Custom House, 7<sup>th</sup> Floor  
200 Chestnut Street  
Philadelphia, PA 19106

**Re: Douglas Hodge, Request for Motion Pursuant to 18 U.S.C. § 3582(c)**

Dear Warden Petrucci,

I represent Douglas Hodge, and I write to request that the Bureau of Prisons move for a modification of Mr. Hodge's sentence to home confinement pursuant to 18 U.S.C. § 3582(c) in light of the extraordinary circumstances presented by the COVID-19 pandemic.

On February 7, 2020, Mr. Hodge was sentenced to a nine-month term of incarceration in federal criminal matter 19-cr-10080 (D. Mass.). Mr. Hodge voluntarily surrendered to FCI Otisville on June 23, 2020, and he is now serving his sentence in the custody of the Bureau of Prisons.

Mr. Hodge is a 62-year-old first-time offender. By virtue of his age, he is at higher risk than the general population for severe illness or death from COVID-19. He does not present any risk of recidivism and is not a danger to the community. The offenses with which Mr. Hodge was charged and to which he pled guilty were non-violent, fraud-related offenses that caused no calculable economic loss to any victim. His Sentencing Guidelines offense level placed him in Zone A of the sentencing table, with an advisory Guidelines range of 0-6 months' imprisonment. The district court sentenced Mr. Hodge to imprisonment, rather than a term of probation, for reasons other than specific deterrence. Mr. Hodge thus satisfies the criteria for home confinement as set forth in Attorney General Barr's March 26 and April 3, 2020 directives.

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Further, the COVID-19 pandemic has continued to present a substantial health risk to inmates in the Bureau of Prisons system, particularly for someone of Mr. Hodge's age. The judge in Mr. Hodge's criminal case has specifically noted "the particular transmission risk in penitentiary facilities." Mem. & Order, 19-cr-10080-NMG, Dkt. No. 1128 (D. Mass. Apr. 30, 2020).

Mr. Hodge's primary residence is a single-family home in Laguna Beach, California. Were his sentence to be modified to home confinement, Mr. Hodge would reside at his home, where he would be able to follow CDC guidelines regarding social distancing, hygiene, and self-monitoring of his health.

In light of these circumstances, I respectfully request that the Bureau of Prisons, pursuant to 18 U.S.C. § 3582(c), move the district court to modify Mr. Hodge's sentence from a nine-month term of incarceration to a sentence of probation with a condition of home confinement. In light of the unpredictable nature of the pandemic and the ever-present risk of an outbreak at FCI Otisville, we respectfully ask that you respond to this letter on an expedited basis.

Please let me know if you need any additional information. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Brien T. O'Connor".

Brien T. O'Connor *JB*